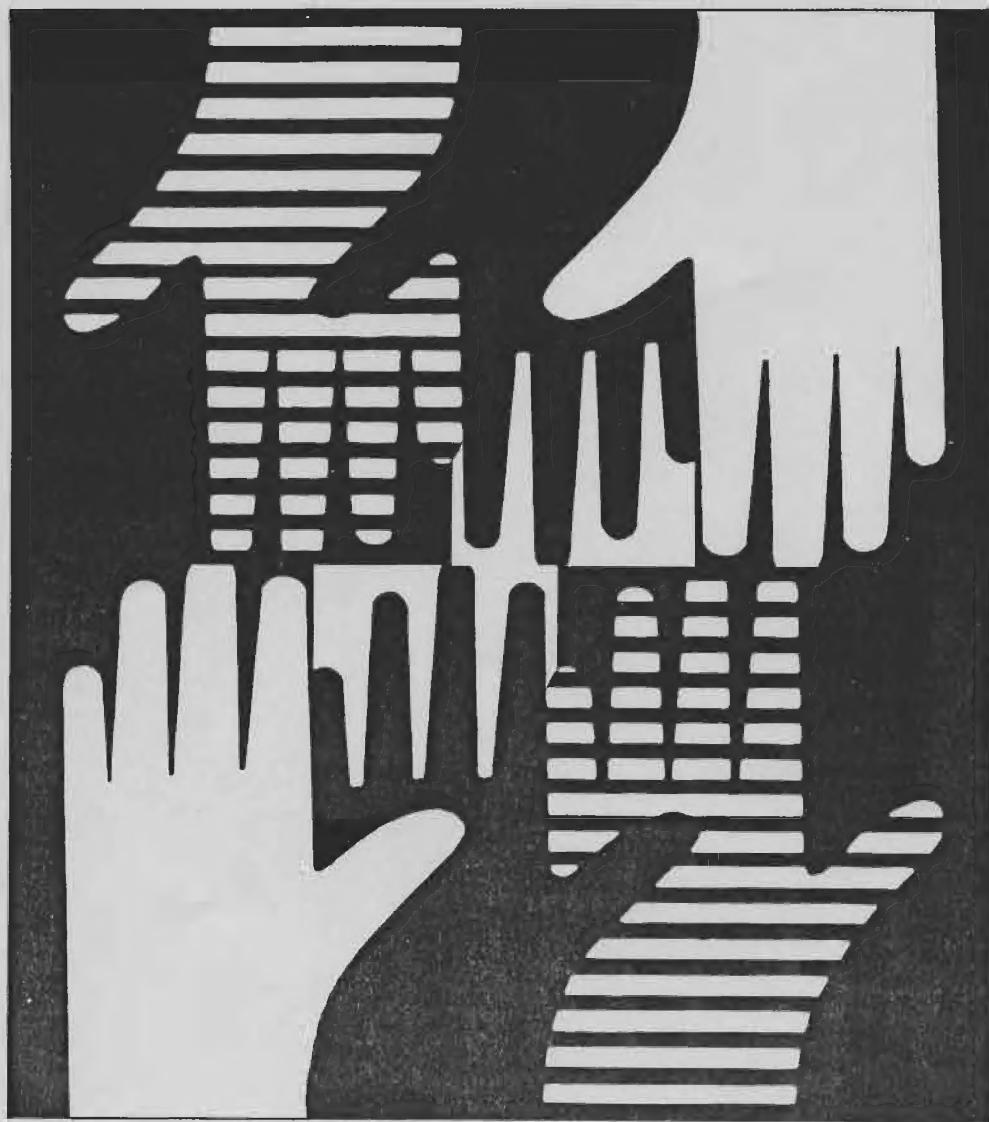


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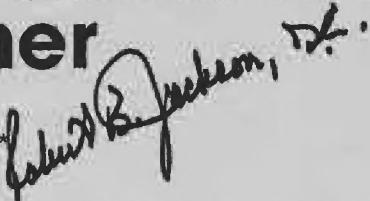
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Regretful Episodes for D. D. Palmer

Robert B. Jackson, D.C., F.I.C.C.*



ABSTRACT. The documents uncovered during the research for this article give us a different glimpse into the life of our Founder, Dr. Daniel D. Palmer. From the diaries of Thomas Jones Palmer, D.D.'s younger brother, we find both men shared certain propensities which caused others around them to believe they were headstrong, egocentric, and constantly seeking the spot light upon themselves. Old Dad Chiro, with no formal college education, felt no wrong when he crowned himself with the appellation "Doctor" just because he treated, with his unorthodox methods, those who were sick or afflicted. He felt the enacted Medical Practice Acts in California and Iowa did not pertain to him, even upon his arrest and trials for allegedly violating same, as this paper describes.

INTRODUCTION

In trying to understand the personality of Daniel David Palmer, we have a glimpse from his younger brother Thomas J.'s autobiography, wherein T. J. informs us that he and D. D. had similar personalities since childhood. Both had great propensities for being headstrong, and felt they were always right on any issue because of their prolific reading, far above anyone else in their communities. In fact, on Thomas's headstone in the Rosemount cemetery in Medford, Oklahoma, just below his name on the stone it reads, "He Believed He Was Right" [1], which I have photographed.

DISCUSSION

In this story we pick up D. D. just after he left What Cheer, Iowa and went to Letts, in Louisa

County, Iowa with his wife being very ill. Louvenia, mother of May, Jessie, and Bartlett Joshua suddenly died on November 20, 1884. D. D. was back teaching school here to feed and house his family. Devastated by her loss, D. D. plunged deeper into his reading on spiritualism, phrenology, oriental philosophies, and vitalism, a new form of magnetic healing. In his mind he knew he could go into this type of healing with no formal training; he could just do it. While living in What Cheer and managing a grocery store, he heard of the great healings of Paul Caster, a magnetic healer in Ottumwa, Iowa, just a few miles south. This fascinated him. On May 5, 1885, D. D. now 40 years of age, marries for the third time to Martha A. Henning, 26, seemingly to have a companion wife and care-taker for his children. Perhaps Martha got more than she expected? Gielow, in his biography of *Old Dad Chiro*, tells us within a few months Martha disappeared, leaving no public record of a divorce or of her demise; she just vanished [2], the second wife to do so.

D. D., feeling he was ready to begin his career as a healer, decided to move his family from Letts to Burlington, Iowa and begin as a Vital Healer. Burlington at this time was an expanding city of over 25,000 people, a growing economy of commerce and industry, just the place for D. D. to be. On September 3, 1886 he opened his practice at 408 1/2 (upstairs) Jefferson street in rooms 2, 3, and 4, with living quarters in the rear of that floor [3]. D. D.'s magnetic healing preceded that of Jacob Caster, son of Paul, who began here in 1889 [4].

As background, in 1880 the Iowa General Assembly (legislature) enacted statutes establishing the Pharmacy act, wherein section 10 it stated:

Any itinerant vender of any drug, nostrum, ointment or appliance of any kind, intended for the treatment of diseases or injury, who shall, by writing or printing, or any other method, publicly profess to cure or treat diseases, or injury, or deformity, by any drug, nostrum, or manipulation (emphasis added), or other expedient, shall pay a license fee of one hundred dollars per annum, to be paid in the manner for obtaining peddler's license [5].

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Fig. 1. D. D. Palmer as Magnetic Healer

Also in this same session they enacted the State Board of Health and Vital Statistics Act, wherein physicians and midwives were mandated to record all births with physicians to sign death certificates, both records to be reported to the local district or circuit court clerk. Failure to do so within 30 days could evoke a penalty [5].

In the 1886 General Assembly session they enacted the first Medical Practice Act for Iowa. Section 2 established three forms of certificates (licenses): one for those who possessed genuine diplomas from recognized schools of medicine who now entered Iowa, one for recent graduates to take the examination for a certificate, and one for those physicians from recognized schools with diplomas who had practiced in Iowa for five years preceding and who would then be grandfathered for a certificate. Section 8 reads in part:

Any person shall be deemed as practicing medicine, surgery, or obstetrics or to be a physician within the meaning of this act, who shall publicly profess to be a physician, surgeon, or obstetrician, and assume the duties, or who shall make a practice of prescribing or of furnishing medicine for the sick, or *who shall publicly profess to cure or heal, by any means whatsoever* (emphasis added), but nothing shall prohibit students of medicine . . .

Section 9, penalty portion stated:

Any person who shall practice medicine or surgery within this state, without having complied with the provisions of this act . . . shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not less than fifty nor more than one hundred dollars, or be imprisoned in the county jail not less than ten days, nor more than thirty days [6].

With the above enactments, the medical board

seemed to ignore D. D.'s magnetic practice, as they later would for Jacob Caster. However, one Davenport physician made frequent critical comments in *Letters to the Editor* in *The Davenport Democrat and Leader* newspaper, about an unnamed magnetic healer who advertised he could cure and heal a whole list of diseases without medicine [2].

Further north along the Mississippi river, Rock Island, Moline, and Davenport suddenly became the new bustling Tri-Cities area from a mix of agriculture, business, and manufacturing. It was a place of optimistic growth and the new place to be in Iowa [2]. D. D., recognizing the new growth potential for magnetic healing, moved his family to Davenport later in 1886. He began his practice on the fourth floor of the Ryan block building, first in room 7; then he expanded into rooms 11, 12, and 13 because more patients sought his services. He took out ads in the *City Directory* listing himself as Dr. Palmer and providing a list of diseases he could cure without medicine [7]. To make all of the necessary room modifications and furnishings took more money than D. D. had, so he borrowed funds with a signed pay-back agreement. When he failed to make the payments as scheduled, he was sued by the lender, Berry & Elder, for breach of contract in City Court in 1886 [8]. Now D. D. had to refinance to get the required funds, so he went to another lender and signed another contract. In 1887, when he failed to meet this payment schedule, he was again sued for breach of contract. This time the Judge ordered the Sheriff to make a levy on Palmer's household goods to satisfy the claim [9].

In 1891-92, D. D. advertised in *Stone's Rock Island, Moline, Milan, and Stewartville Directory* with an engraved portrait of the full-bearded one,

saying "Dr. Palmer can cure with his Magnetic Hands diseases of the head, throat, heart, lungs, stomach, liver, spleen, kidneys, nerves, and muscles, ten times quicker than any one can with medicines" [10].

Today, it is easy to see how D. D.'s advertising soon changed the attitude of organized medicine against him. Until now the medical community had not harassed him, but this would soon change. Likely, D. D. would say of his practice and behavior that he thus far had not injured anyone, was not guilty of misconduct, and no patient registered a complaint against him. Yet, all of a sudden, the medical authorities abruptly changed their attitude toward D. D.; but did they have cause? [11]

Our history is replete with the accounts of Dr. Palmer the magnetic healer and his patient, Harvey Lillard, who had been deaf for some 17 years. On several previous occasions, D. D. had passed his hands over Harvey's back, and on September 18, 1895 he felt a lump in the dorsal spine and thought if this segment were moved, would it restore his hearing? So, D.D. used the spinous process as a lever and made a downward-upward thrust in a derotating manner. Immediately, Harvey declared he could hear! D. D. cogitated again, figuring the vertebrae was impinging on a nerve that caused the deafness; and in normalizing the segments, his hearing was restored. Suddenly, *Chiropractic* was discovered, although not yet named [12]. Both men would repeat this story over and over, causing great excitement in the region; suddenly Dr. Palmer was a miracle worker. Word of this deed had also reached the ears of the medical board, who then threw another Palmer-log on their fire. This now triggered the threshold of attention and action to the 1886 medical practice act, sections 8 and 9, as previously cited [5, 6].

Now fast forward to May 1902; D. D. as President of the *Palmer School and Infirmary* signed the school over to Dr. B.J. Palmer, Secretary. Speculations have abounded; was this because D. D. heard rumblings that the medical board was going to come after him? Or, was it because of stories of a favorite former student, Dr. Thomas Story of Duluth, Minnesota, who suddenly took off for Seattle, Washington for no reason, to be hospitalized there with brain fever? On June 7, 1902, D. D. received a letter from Dr. Story, then in San Francisco and heading for Los Angeles. D. D. realized something was wrong with Story; he had to find him and fix his brain. D. D. and wife Villa (fourth wife) left by train for Los Angeles in search of his friend. One day, D. D. spotted Dr. Story; they embraced and D. D. took him home to Pasadena where he was staying and adjusted Dr. Story's cervical spine. Immediately Dr. Story confessed he could think better and his behavior seemed better. D. D. adjusted him the following

week and the third week, and all seemed normal. Dr. Story departed for Los Angeles where he would soon open a chiropractic school [13].

In Pasadena, D. D. had to create a cash-flow to pay the rent and eat, so he advertised in bold fashion, with large banner signs over the front porch and front fence declaring, *Dr. Palmer—Chiropractor—Free Public Lectures*, plus a list of things he could cure. On August 2, 1902, *The Pasadena Evening Star* and *Pasadena Daily News* both printed advertising sheets stating:

Dr. D. D. Palmer, the discoverer of Chiropractic, has located in Pasadena, 237 Marengo Ave., where he will be pleased to see those desiring to know more of this new science. Office hours from 1 to 6 p.m. Chiropractors find that all illness, sickness, affections, indispositions, complaints, maladies or lack of ease, are caused by some bones being slightly displaced [14].

We do not know what responses came from this advertising. However, what we do know comes from several newspaper accounts in *The Pasadena Evening Star* newspaper as follows:

Dr. Palmer was called to the home of George and Matile Hayes in nearby Sierra Madre, just east of Pasadena. Mr. Hayes had consumption and Dr. Palmer after having brought Mr. Hayes to believe he could cure his disease, treated him in another room with locked door, refusing Mrs. Hayes from seeing what was going on. After the first treatment Mr. Hayes seemed better; but after the second treatment there was a marked decline and soon the patient was in bed and on September 18, 1902 he died [15].

It is said Mrs. Hayes succeeded in looking into the room during one visit to see her husband upon the floor with Palmer upon him thumping and generally maltreating him. It is said Mr. Hayes even pawned his watch to pay for such harsh treatment. Mrs. Hayes brought charges to the attention of the authorities causing Palmer to be arrested, brought to city police court with charges Palmer was practicing medicine without a license. Judge Klamroth presided. Palmer had as counsel, Senator C. M. Simpson, who entered a plea of not guilty and secured a continuance until October 4th at 9:30 a.m. [16].

On October 4, 1902, Judge Klamroth was presiding, General Johnson Jones prosecuting for the district attorney; Senator Simpson and Judge McKinley represented Dr. Palmer. Charges were read of practicing medicine without a license, and a jury was impaneled. Suddenly, General Jones rose to ask the judge to cease all actions; this charge had been prepared by the old 1878 statute, not the amended version of 1901. New charges would have to be drawn up. The judge dismissed the charges against Dr. Palmer and he was released from custody, but new charges would be drawn up within a few days and prosecution would continue [17]. It is here that D. D. sent a telegram to Dr. B.J. in Dav-

enport, that he was "not guilty of practicing medicine or surgery [13]."

We next find D. D. in Santa Barbara, California where he is listed in the *City Directory* 1903-4, "Palmer, D. D., chiropractor, office Aiken block, res. same. Palmer, Mrs. T.V., res. Aiken block" [18]. On July 1, 1903, D. D. held a teaching clinic (unchartered) where several students, including Oakley Smith, Minora Paxon, Ira Lucas, A. Wightman, M. Collier and Harry Reynard, witnessed D. D.'s concept that nerves heat the body, not blood [2, 12]. We have no record of how long the Palmers lived there before returning to Davenport in early 1905.

On April 16, 1903, B. J. Palmer was arrested by a warrant from the Scott County Grand Jury for publicly professing to cure and heal without having procured and filed a license to practice medicine, as charged by the State Board of Medical Examiners. Records at the Scott County Courthouse indicates there was no final disposition to this case. A trial was delayed by several continuances, the last on December 14, 1905; no further action was taken. Was this what D. D. was afraid would happen to him and the reason he left for California? [2]

In the meantime, B. J. moved the Palmer School and Infirmary from the Ryan Building to 828 Brady Street, a large Victorian home ideal to house B. J. and Mabel on the top floor, with classrooms below. D. D. and Villa rented a home nearby at 1518 Rock Island street and he had his infirmary at 105 West Second Street & South Putnam. This facility took ambulatory patients for adjusting and had extra rooms for live-in patients with board and room while they took adjustments. This facility was independent from B.J.'s Infirmary [2].

In early February 1905, lawyer Carver in Oscaloosa, Iowa referred Lucretia May Lewis to D. D.'s infirmary. She was an 18-year-old girl who suffered advanced stages of tuberculosis. Physicians in Oscaloosa could do nothing for her, so Carver, having had consumption himself and having been adjusted several times by D. D. and cured, made the referral. She was a live-in patient and D. D. had adjusted her for the past 5 weeks, when suddenly she became worse and died on Thursday, March 9, 1905 at 5:30 p.m. Her body was taken to the Boise mortuary to be prepared for shipment back to Oscaloosa. D. D. came a little later to the mortuary and signed her death certificate, giving the cause of death as consumption. The undertaker took the paper work to the home of City Clerk Ed Collins for his signature on a permit to ship her body. When Collins saw that Dr. Palmer had signed the death certificate, he refused to sign the release form. It seems not long ago, another patient died in D. D.'s infirmary and D. D. signed that death certificate and a release form was signed by Collins. However, Collins brought this first case to the attention of City Physician Dr. J. F. Kennedy, who corresponded with the State Board of

Health in Des Moines, who reported Dr. Palmer was not registered as a physician; therefore he had no authority to sign a death certificate [19] (RE: 1880 & 1886 enactments cited earlier).

On Friday the 10th, Coroner Dr. Lambach announced he would conduct an autopsy and inquest at the Boise mortuary at 6 p.m. with city physician Speers. After the autopsy and hearing several testimonies, Dr. Lambach adjourned until 4 p.m. Saturday the 11th. Also in attendance were County attorney A. W. Hamann, with counsel for Dr. Palmer, attorney Walter W. Peterson. Attorney C. W. Jones took short-hand of the entire proceedings. The three inquest jurymen were, E.J. Dougherty, Alex W. Carroll, and Frank Bruner. The autopsy was performed by Drs. Lambach, E. S. Bowman, and Will Speers, assisted by several nurses from St. Luke's hospital. The examination revealed "the lungs to be badly infected and wasted away." Dr. Lambach signed a new death certificate giving the cause of death as pulmonary tuberculosis, which closely corresponded to Dr. Palmer's diagnosis of consumption. The verdict was signed by the three jurymen [20]. City clerk Collins signed the release form for Lucretia's body was to be shipped that evening to Oscaloosa for burial [21].

Testifying at the inquest were Mrs. Lida Lewis, Lucretia's mother, stating her daughter was 18-years-old, they had lived in Oscaloosa for the past 6 years, and during the past year she suffered fevers, chills, and a bad cough. She was seen by several physicians there and they could do nothing for her. On advice of attorney Carver in Oscaloosa, who had been benefited through Dr. Palmer's treatments, she brought Lucretia 5 weeks ago to Dr. Palmer's infirmary. She paid \$4 a week board and \$3 a week for a room, paying Dr. Palmer \$75 in all. Mrs. Lewis never witnessed any of Dr. Palmer's treatments. Dr. Palmer had never claimed to her he was a regular physician, she just supposed he was. Next, a patient of Dr. Palmer's, Bert Quinn, testified Dr. Palmer had cured his sister of severe locomotor ataxia. Then, a current student of Dr. Palmer's, J. J. Darnell, testified he paid Dr. Palmer \$500 tuition for a 9 month course and so far he had witnessed several adjustments by Dr. Palmer on some of his patients. Coroner Lambach questioned young Darnell, who admitted he had never seen any internal organs but had studied physiology, although he never had a class in dissection anatomy. Dr. Lambach responded, "Then I guess you bought a pig in a poke, did you not?" "That depends on how you look at it," said Darnell.

Dr. Palmer then took the stand and demonstrated a shrewdness and dexterity in answering questions from Dr. Lambach. Dr. Palmer emphatically stated he did not cure diseases by adjusting the spine (although he advertised he did), he merely removes the cause of disease and the patients get well on

their own. He stated he was not an allopath, eclectic, or osteopath, simply a chiropractor. Dr. Lambach then asked, "What is chiropractic?" To which Dr. Palmer responded, "now you are seeking to learn something from this 60 cent witness what my students pay \$500 for." Dr. Palmer's witness fee at this inquest was 60 cents from the county, thus this remark. Dr. Palmer told Dr. Lambach, "the jury was not assembled to learn chiropractic, but to determine Miss Lewis's cause of death."

After the Palmer testimony, Dr. Speer, city physician, read a letter from Dr. Kennedy of Des Moines, secretary of the State Board of Health, in which it was stated that "Dr. Palmer had not license to practice in Iowa and was without legal standing in the medical profession, therefore had no authority to sign death certificates." At the conclusion, Coroner Lambach announced "all the evidence produced at the hearing would be turned over to the county attorney for any official action he saw fit to pursue."

During the inquest several verbal sarcasms crossed between Coroner Lambach and Dr. Palmer. One of which, Dr. Palmer remarked, "Of the great convention of chiropractors in Minneapolis that summer, illustrating how chiropractic has grown across the country." To which Dr. Lambach retorted, "Yes, doctor, you remind me of a bad fish." "How so?", said Palmer. "Why," responded Dr. Lambach, "after catching you, the people throw you back into the water and allow you to multiply unmolested" [20]. Lucretia's body was released and shipped back to Oscaloosa that Friday night for burial on March 13, 1905 [20, 21].

CONCLUSION

This was not the end of the regretful episodes for D.D., only a prelude to a more catastrophic event to capture him on October 7, 1905 and on into 1906. But that's another story.

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References

1. Cross C. Thomas J Palmer, frontier publicist. *Oklahoma Chronicles*. Oklahoma City, OK: Oklahoma State Historical Society; 1950;28(4): 453.
2. Gielow V. Old Dad Chiro. Davenport, IA: Palmer Health Sciences Library; 1981.
3. Burlington City Directory 1887:147.
4. Jackson R. The chiropractic heritage of Paul Caster: magnetic healer. *Chiropractic History* 1996;16(2):65.
5. State of Iowa Eighteenth General Assembly Session; 1880;151:142-7.
6. State of Iowa Twenty-first General Assembly Session; 1886;104:125-9.
7. Stone's Davenport Directory; 1888:15.
8. Davenport City Court. Berry & Elder v. Palmer: 4 #1915; 1886.
9. Davenport City Court. Dibbern v. Palmer: 3 #1127; 1887.
10. Stone's Rock Island, Moline, Milan and Stewartville Directory; 1891-92:22.
11. Lerner C. The Lerner report Foundation for Health Research 1952, reproduced by National Institute of Chiropractic Research 1994.
12. Palmer DD. The science, art, and philosophy of chiropractic. Portland Publishing Co, OR 1910:702.
13. Zarbuck, Hayes. Following D. D. Palmer to the west coast: the Pasadena connection 1902. *Chiropractic History* 1990;10(2):20.
14. Pasadena Evening Star & Pasadena Daily News—News release sheet; 1902.
15. Pasadena Evening Star; 1902:5.
16. Pasadena Evening Star; 1902:1.
17. Pasadena Evening Star. Pasadena news paper articles courtesy of Dan McLaughlin, Pasadena Public Library, Pasadena, CA; 1902:4.
18. Santa Barbara City Directory; 1903-04:147.
19. Davenport Democrat and Leader; 1905:9, 10.
20. City of Davenport Burial Records. Courtesy Marlene K. Nelson, Clerk Scott County District Court, Davenport, IA; 1905.
22. Oscaloosa Times. 1905:2.